

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Emeric GALLARD et al.

Conf.

Application No. **NEW NATIONAL PHASE**

Group

Filed September 3, 2004

Examiner

METHOD OF VIEWING AND CONTROLLING BALANCE OF THE VERTEBRAL COLUMN

**INFORMATION DISCLOSURE STATEMENT  
 (SUBMISSION CONCURRENT WITH THE  
 FILING OF A NEW PATENT APPLICATION)**

Assistant Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

September 3, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, and in fulfillment of the duty of disclosure under 37 C.F.R. § 1.56, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

**I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION**

The patents, publications, or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

**II. COPIES**

- ☒ Copies of the U.S. patents or publications are not submitted since the USPTO has waived their submission for applications filed after June 30, 2003.
- ☐ Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- ☒ This application is a National Phase of a PCT application. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should have been forwarded from the International Search Authority pursuant to the trilateral agreement between the USPTO, EPO and JPO, or they are U.S. patents or U.S. published applications. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The non U.S. patents, non U.S. patent application publications, foreign publications, or other information in the English language do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☒ **FOREIGN SEARCH REPORT OR ACTION**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

If The Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned.

Respectfully submitted,

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Enclosures: ☒ Form PTO-1449(s)  
☐ Documents  
☒ Foreign Search Report  
☐ Other: \_\_\_\_\_

# **INFORMATION DISCLOSURE CITATION IN AN APPLICATION**

(Use several sheets if necessary)

Attorney Docket No.:

**0529-1038**

Application No.:

**NEW NATIONAL PHASE**

Applicant:

**Emeric GALLARD et al.**

Filing Date:

**September 3, 2004**

Group Art Unit:

## **U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing date (if appropriate)
	6,301,495	10/9/2001	GUEZIAC ET AL.			
	5,291,537	3/1/1994	MAZESS			
	5,582,186	12/10/1996	WIEGAND			

## **FOREIGN PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	WO 00 22572	4/20/2000	WIPO				

## **OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	BENLI I T ET AL.: "Frontal and sagittal balance analysis of late onset idiopathic scoliosis treated with third generation instrumentation." THE KOBE JOURNAL OF MEDICAL SCIENCES. JAPAN DEC 2001, vol. 47, no. 6, December 2001 (2001-12), pages 231-253, XP002232453 ISSN: 0023-2513
	KAUFFMANN C ET AL: "DIGITAL RADIOGRAPHY SEGMENTATION OF SCOLIOTIC VERTEBRAL BODY USING DEFORMABLE MODELS" PROCEEDINGS OF THE SPIE, SPIE, BELLINGHAM, VA, US, vol. 3034, no. PART 1/2, 1997, pages 243-251, XP000869811

EXAMINER:

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

\* English language abstract provided for the Examiner's convenience